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 C O N F I D E N T I A L S T A T E 162552
 E.O. 11652:GDS
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SUBJECT: LOS: CONSULTATIONS IN GENEVA

1. ON JUNE 25/26, SMALL U.S. TEAM MET WITH SEVERAL LOS PARTICIPANTS IN GENEVA,

2. U.S. PARTICIPATED IN PORTION OF MEETING ATTENDED BY FERNANDO ZEGERS OF CHILE, AMBASSADOR ARIAS SCHREIBER OF PERU, FRANK NJENGA OF KENYA, ALAN BEESLEY OF CANADA AS WELL AS REPRESENTATIVES FROM SRI LANKA, INDIA, AUSTRALIA, MEXICO AND NORWAY. ON NATURE OF ECONOMIC ZONE, MOST MEMBERS SAID THAT ENTIRE COASTAL STATE GROUP WAS WILLING TO RETURN TO EVENSEN GROUP TEXT ON ARTICLE 44 OF PART II BUT THAT THEY DID NOT WANT TO CHANGE ARTICLE 75 ON HIGH SEAS. AMBASSADOR ARIAS SCHREIBER MADE EXTREMELY STRONG AND HARSH STATEMENT THAT ECONOMIC ZONE MUST NOT BE HIGH SEAS.

3. ON SCIENTIFIC RESEARCH, ONLY NORWAY SAID THAT RSNT WAS NOT GOOD COMPROMISE AND THAT RETURN TO EVENSEN TEXT WITHOUT OVERALL CONSENT WAS NECESSARY. ARIAS SCHREIBER MADE HARSH STATEMENT THAT PERU WAS NORMALLY FRIENDLY TO SCIENCE BUT THAT IF U.S. PUSHED HARD ON HIGH SEAS STATUS FOR ECONOMIC ZONE, PERU WOULD REFUSE ALL FUTURE SCIENTIFIC RESEARCH REQUESTS.

4. ON DISPUTE SETTLEMENT, GENERAL THRUST OF COMMENT WAS THAT BINDING THIRD PARTY PROCEDURES WERE ACCEPTABLE FOR NAVIGATION AND OTHER FREEDOMS IN ECONOMIC ZONE, POLLUTION AND SCIENTIFIC RESEARCH BUT NOT FOR FISHERIES.

5. IN PRIVATE LUNCH, ZEGERS AFFIRMED ALL ABOVE POINTS. ON SCIENTIFIC RESEARCH HE SAID HE WOULD LOOK AT LANGUAGE BUT THAT IT WOULD BE DIFFICULT TO ROLL BACK OVERALL CONSENT REGIME.

6. AT A PRIVATE DINNER, NJENGA ALSO AFFIRMED ABOVE

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POINTS. IN ADDITION, HE PUSHED FOR USE OF INTERNATIONAL COURT OF JUSTICE FOR DISPUTE SETTLEMENT. ON SCIENTIFIC RESEARCH, HE SAID PRESENT TEXT WAS GOOD COMPROMISE, ON COMMITTEE I, HE MENTIONED SEVERAL ISSUES BUT ONLY STRESSED THE NEED TO GET ENTERPRISE GOING.

7. IN MEETING WITH AMBASSADOR BEESLEY, HE SUGGESTED THAT DIFFERENT SOLUTION BE FOUND FOR HIGH SEAS STATUS OF ECONOMIC ZONE RATHER THAN CHANGING ARTICLE 75. IN ESSENCE, HE SUGGESTED ARTICLE 75 CONTAIN CROSS REFERENCE TO A NEW ARTICLE WHICH WOULD INDICATE THAT OTHER HIGH SEAS FREEDOMS WE RETAINED. ON PROCEDURES, HE INDICATED GREAT RELUCTANCE TO MOVE TO PLENARY BEFORE ALL ISSUES SUCCESSFULLY NEGOTIATED. KISSINGER

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